

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

LAMETRA PHILLIPS,)	
)	CASE NO. 4:15CV01363
Plaintiff,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
GRANT HOSPITAL,)	
)	<u>MEMORANDUM OF OPINION AND</u>
Defendant.)	<u>ORDER</u> [Resolving ECF Nos. 1 and 2]

On July 9, 2015, Plaintiff *pro se* Lametra Phillips filed this action against Grant Hospital, which is located in Columbus, Ohio. [ECF No. 1](#). Plaintiff, a resident of Columbus, Ohio, [ECF No. 1-1](#), alleges she was mistreated by nurses at the hospital after she gave birth. *See* [ECF No. 1](#). In particular, she alleges she was not given pain medicine, was removed from the property, and later suffered shock as a result. [ECF No. 1](#). Plaintiff seeks \$500,000.00 in damages. [ECF No. 1](#). For the reasons stated below, the complaint is summarily dismissed.

Although *pro se* pleadings are liberally construed, [Boag v. MacDougall](#), 454 U.S. 364, 365 (1982) (*per curiam*) (citing [Haines v. Kerner](#), 404 U.S. 519, 520 (1972)), the district court is required to dismiss an action pursuant to [28 U.S.C. § 1915\(e\)\(2\)\(B\)](#) if it fails to state a claim upon which relief can be granted, or if it lacks an arguable basis in law or fact. [Neitzke v. Williams](#), 490 U.S. 319, 325 (1989). Additionally and of importance in this case, a complaint shall be dismissed when a court lacks jurisdiction.

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Even when construing Plaintiff's complaint liberally, there are no allegations indicating a proper basis for the exercise of the Court's jurisdiction. Plaintiff does not invoke a federal statute in support of her claim, nor is there any suggestion of diversity of citizenship of the parties.¹ See ECF No. 1-1. Therefore, the complaint is appropriately subject to summary dismissal. See Lowe v. Huffstutler, 902 F.2d 1569 (6th Cir. 1990) ("[Dismissal] of [the plaintiff]'s claims was proper for lack of subject matter jurisdiction because the complaint clearly indicates that both [the plaintiff] and the [defendant] were citizens of [the same state] Thus, a *sua sponte* dismissal of [the plaintiff]'s diversity claims was appropriate even under the standard that was announced in *Neitzke*.").

Plaintiff's motion to proceed *in forma pauperis* is granted. For the reasons given above, the complaint is summarily dismissed, pursuant to § 1915(e)(2)(B). Furthermore, the Court certifies, pursuant to 28 U.S.C. §1915(a)(3), that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.

October 21, 2015
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge

¹ Because summary dismissal is appropriate, the Court will not address the questionable venue.